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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:

*New York Marine and General Insurance Co. v. Al Qaida, et al., Case No. 04-CV-6105
(S.D.N.Y.)*

**STIPULATION AND ORDER REGARDING SCHEDULE TO
RESPOND TO COMPLAINT CONSOLIDATED UNDER MDL 1570**

It is HEREBY STIPULATED AND AGREED, by and between Plaintiff in the above-referenced case consolidated under 03 MDL 1570 and Defendants Ahmed Totonji, Iqbal Unus, Jamal Barzinji, M. Omar Ashraf, Mohammed Jaghlit, Muhammad Ashraf, M. Yaqub Mirza, Taha Jaber Al-Alwani, African Muslim Agency, Grove Corporate, Heritage Education Trust, International Institute of Islamic Thought, Mar-Jac Investments, Inc., Mena Corporation, Reston Investments, Inc., Safa Trust, Sterling Charitable Gift Fund, Sterling Management Group, and York Foundation (collectively, "Defendants"), by and through their undersigned counsel, subject to the approval of the Court, as follows:

1. The Court previously approved Stipulations by and between counsel for Plaintiff and defendants Ahmed Totonji, Grove Corporate, Heritage Education Trust, Iqbal Unus, Jamal Barzinji, M. Omar Ashraf, Muhammad Ashraf, M. Yaqub Mirza, Mohammad Jaghlit, Sterling Charitable Gift Fund, and Sterling Management Group to respond to Plaintiff's First Amended Complaint on or before March 28, 2005.

2. Currently pending before the Court are three separate motions to dismiss relating to the Defendants in other consolidated cases: (1) a motion to dismiss in *Burnett v. Al Baraka Investment and Development Group, et al.*, brought by defendants African Muslim Agency,

Grove Corporate, Heritage Education Trust, International Institute of Islamic Thought, Mar-Jac Investments, Reston Investments, Safa Trust, and York Foundation; (2) a motion to dismiss in *Ashton v. Al Qaeda Islamic Army, et al.* brought by the International Institute of Islamic Thought; and (3) a motion to dismiss in *Federal Insurance Company v. Al Qaeda, et al.* brought by Iqbal Unus, Jamal Barzinji, M. Omar Ashraf, M. Yaqub Mirza, Muhammad Ashraf, and Taha Al-Alwani (the "Pending Motions"). The Court was fully briefed and heard argument on the Pending Motions on October 12 and 14, 2004, and took them under submission at that time.

3. In the interests of judicial economy and to avoid duplicative motions involving similar allegations, it is hereby stipulated and agreed that Defendants shall have thirty (30) days from the date on which the Court decides the Pending Motions to answer or otherwise respond to Plaintiff's First Amended Complaint in the above-referenced case.


4. Plaintiff shall have sixty (60) days from the date on which it is served with Defendants' responsive pleadings to file a response, if any. Defendants shall have twenty-one (21) days thereafter to file a reply to Plaintiff's opposition.

5. This stipulation supersedes all previous stipulations between Plaintiff and any Defendant.

Respectfully submitted

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By:



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Attorneys for Defendants

SO ORDERED:

Richard Conway Casey
RICHARD CONWAY CASEY, U.S.D.J.

Dated: April 1, 2005

JP